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7 *Attorneys for Defendants*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

11 ROBERT ALEXANDER KASEBERG,
12 Plaintiff.

13 || v.

15 CONACO, LLC, TURNER
16 BROADCASTING SYSTEM, TIME
WARNER, INC., CONAN O'BRIEN,
JEFF ROSS, MIKE SWEENEY; DOES
1-50, inclusive,

Defendants.

CASE NO.: 3:15-CV-01637-JLS-DHB
Hon. David H. Bartick

**DECLARATION OF NICHOLAS
HUSKINS IN SUPPORT OF
DEFENDANTS' REPLY IN
SUPPORT OF DEFENDANTS'
MOTION FOR ENTRY OF A
PROTECTIVE ORDER**

DECLARATION OF NICHOLAS HUSKINS

I, NICHOLAS HUSKINS, declare and state as follows:

3 1. I am an attorney at law duly licensed to practice before all courts of the
4 State of California and am an Associate of the law firm of Glaser Weil Fink Howard
5 Avchen & Shapiro LLP, attorneys of record herein for Defendants Conaco, LLC
6 (“Conaco”); Turner Broadcasting System; Time Warner, Inc.; Conan O’Brien; Jeff
7 Ross; and Mike Sweeney (collectively, “Defendants”). I make this declaration in
8 support of Defendants’ Reply in Support of Defendants’ Motion for Entry of a
9 Protective Order. The facts set forth herein are true of my own personal knowledge,
10 and if called upon to testify thereto, I could and would competently do so under oath.

11 2. On June 22, 2016, I was present at the deposition of Mike Sweeney.
12 During the deposition, the parties jointly sought the Court's intervention after Mr.
13 Sweeney objected to Plaintiff's counsel's questions concerning Mr. Sweeney's salary
14 information. The Court ordered no further questioning on the topic, and informed the
15 parties that the Court was inclined to rule in favor of Defendants on the parties' Joint
16 Motion for Determination of Discovery Dispute, ECF No. 38, citing Plaintiff's failure
17 to establish a nexus between the financial information sought and the alleged
18 infringement.

19 3. Attached as **Exhibit 1** are true and correct copies of relevant portions of:
20 (a) Plaintiff's Requests for Production of Documents and Things (Set One) to
21 Defendant Jeff Ross; (b) Plaintiff's Requests for Production of Documents and
22 Things (Set One) to Defendant Time Warner Inc.; (c) Plaintiff's Requests for
23 Production of Documents and Things (Set One) to Defendant Turner Broadcasting
24 System, Inc.; (d) Plaintiff's Requests for Production of Documents and Things (Set
25 Two) to Defendant Mike Sweeney; (e) Plaintiff's Requests for Production of
26 Documents and Things (Set Two) to Defendant Conan O'Brien; (f) Plaintiff's

1 Requests for Production of Documents and Things (Set Two¹) to Conaco, LLC; (g)
2 Plaintiff's Interrogatories to Defendant Conan O'Brien (Set Two); (h) Plaintiff's
3 Interrogatories to Defendant Jeff Ross (Set Two); (i) Plaintiff's Interrogatories to
4 Defendant Mike Sweeney (Set Two); (j) Plaintiff's Interrogatories to Defendant Time
5 Warner Inc. (Set Two); (k) Plaintiff's Interrogatories to Defendant Turner
6 Broadcasting System, Inc. (Set Two); and (l) Plaintiff's Interrogatories to Defendant
7 Conaco, LLC (Set Three). All of the discovery requests mentioned herein were
8 served on June 3, 2016.

9 4. Attached as **Exhibit 2** is a true and correct copy of Plaintiff's Expert
10 Witness Disclosures, served June 24, 2016.

11 I declare under penalty of perjury pursuant to the laws of the State of California
12 that the foregoing facts are true and correct.

13 Executed on June 30, 2016 at Los Angeles, California.

R. Hush -

NICHOLAS HUSKINS

²⁷ ²⁸ ¹ Though titled (Set Two), this is actually the third set of RFPs served on Conaco, LLC.

Exhibit 1

1 Jayson M. Lorenzo, Esq. SBN 216973
2 Attorney at Law
2794 Gateway Road
3 Carlsbad, CA 92009
3 Tel. (760) 517-6646
4 Fax (760) 520-7900

4
5 Attorney for Plaintiff
6 ROBERT ALEXANDER KASEBERG
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8

9
10 **UNITED STATES DISTRICT COURT**
11
12 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

13 ROBERT ALEXANDER KASEBERG, } Case No. 15-CV-01637-JLS-DHB
14 Plaintiffs, }
15 vs. }
16 CONACO, LLC; TURNER }
17 BROADCASTING SYSTEM; TIME }
18 WARNER, INC.; CONAN O'BRIEN; }
19 JEFF ROSS; MIKE SWEENEY; DOES 1 }
20 – 10, inclusive, }
21 Defendants. }
22
23

24 **PROPOUNDING PARTY:** PLAINTIFF ROBERT ALEXANDER KASEBERG
25 **RESPONDING PARTY:** DEFENDANT JEFF ROSS
26 **SET NO.:** ONE

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual gross revenue, salary or income related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 2.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits, salary or income related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 3.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR gross revenues, salary or income related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 4.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits, salary or income related to the "CONAN" show that aired on
January 14, 2015.

REQUEST FOR PRODUCTION NO. 5.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues, salary or income related to the "CONAN" show that aired on
February 4, 2015.

REQUEST FOR PRODUCTION NO. 6.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits, salary or income related to the "CONAN" show that aired on
February 4, 2015.

REQUEST FOR PRODUCTION NO. 7.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues, salary or income related to the "CONAN" show that aired on
February 17, 2015.

REQUEST FOR PRODUCTION NO. 8.

1 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
2 YOUR annual net profits, salary or income related to the "CONAN" show that aired on
3 February 17, 2015.

4 **REQUEST FOR PRODUCTION NO. 9.**

5 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
6 YOUR gross revenues, salary or income related to the "CONAN" show that aired on
7 June 9, 2015.

8 **REQUEST FOR PRODUCTION NO. 10.**

9 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
10 YOUR annual net profits, salary or income related to the "CONAN" show that aired on
11 June 9, 2015.

12
13 Dated: June 3, 2016

By: /jlorenzo/
14 JAYSON M. LORENZO
15 Attorney for PLAINTIFF

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Attorney for Plaintiff
ROBERT ALEXANDER KASEBERG

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

ROBERT ALEXANDER KASEBERG, } Case No. 15-CV-01637-JLS-DHB
Plaintiff, }
vs. }
CONACO, LLC; TURNER }
BROADCASTING SYSTEM; TIME }
WARNER, INC.; CONAN O'BRIEN; }
JEFF ROSS; MIKE SWEENEY; DOES 1 }
- 10, inclusive, }
Defendants. }
PLAINTIFF'S REQUEST FOR
PRODUCTION OF DOCUMENTS
AND THINGS TO DEFENDANT
TIME WARNER, INC. (SET ONE)

PROPOUNDING PARTY: PLAINTIFF ROBERT ALEXANDER KASEBERG
RESPONDING PARTY: DEFENDANT TIME WARNER INC.
SET NO.: ONE

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual gross revenues related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 2.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 3.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 4.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 5.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues related to the "CONAN" show that aired on February 4, 2015.

REQUEST FOR PRODUCTION NO. 6.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits related to the "CONAN" show that aired on February 4, 2015.

REQUEST FOR PRODUCTION NO. 7.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues related to the "CONAN" show that aired on February 17, 2015.

REQUEST FOR PRODUCTION NO. 8.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR annual net profits related to the "CONAN" show that aired on February 17, 2015.

REQUEST FOR PRODUCTION NO. 9.

1 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
2 YOUR gross revenues related to the "CONAN" show that aired on June 9, 2015.

3 **REQUEST FOR PRODUCTION NO. 10.**

4 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
5 YOUR annual net profits related to the "CONAN" show that aired on June 9, 2015.

6
7
8 Dated: June 3, 2016

By: /jlorenzo/
9 JAYSON M. LORENZO
10 Attorney for PLAINTIFF
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5 Attorney for Plaintiff
5 ROBERT ALEXANDER KASEBERG

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9 **UNITED STATES DISTRICT COURT**

10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11 ROBERT ALEXANDER KASEBERG, } Case No. 15-CV-01637-JLS-DHB
12 }
13 }
14 } Plaintiff, }
15 }
16 } vs. }
17 }
18 } CONACO, LLC; TURNER
19 } BROADCASTING SYSTEM; TIME
20 } WARNER, INC.; CONAN O'BRIEN;
21 } JEFF ROSS; MIKE SWEENEY; DOES 1
22 } – 10, inclusive,
23 }
24 } Defendants. }
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24 **PROPOUNDING PARTY:** PLAINTIFF ROBERT ALEXANDER KASEBERG
25 **RESPONDING PARTY:** DEFENDANT TURNER BROADCASTING
26 SYSTEM
27 **SET NO.:** ONE
28

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual gross revenues related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 2.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 3.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 4.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 5.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues related to the "CONAN" show that aired on February 4, 2015.

REQUEST FOR PRODUCTION NO. 6.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits related to the "CONAN" show that aired on February 4, 2015.

REQUEST FOR PRODUCTION NO. 7.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues related to the "CONAN" show that aired on February 17, 2015.

REQUEST FOR PRODUCTION NO. 8.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR annual net profits related to the "CONAN" show that aired on February 17, 2015.

REQUEST FOR PRODUCTION NO. 9.

1 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO

2 YOUR gross revenues related to the "CONAN" show that aired on June 9, 2015.

3 **REQUEST FOR PRODUCTION NO. 10.**

4 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO

5 YOUR annual net profits related to the "CONAN" show that aired on June 9, 2015.

6 Dated: June 3, 2016

7 By: /jlorenzo/

8 JAYSON M. LORENZO

9 Attorney for PLAINTIFF

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5 ROBERT ALEXANDER KASEBERG

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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11 ROBERT ALEXANDER KASEBERG, } Case No. 15-CV-01637-JLS-DHB
12
13 }
14 Plaintiff, } **PLAINTIFF'S REQUEST FOR**
15 } **PRODUCTION OF DOCUMENTS**
16 vs. } **AND THINGS TO DEFENDANT**
17 } **MIKE SWEENEY (SET TWO)**
18 CONACO, LLC; TURNER }
19 BROADCASTING SYSTEM; TIME }
20 WARNER, INC.; CONAN O'BRIEN; }
21 JEFF ROSS; MIKE SWEENEY; DOES 1 }
22 – 10, inclusive, }
23 Defendants. }
24

25 **PROPOUNDING PARTY:** PLAINTIFF ROBERT ALEXANDER KASEBERG
26 **RESPONDING PARTY:** DEFENDANT MIKE SWEENEY
27 **SET NO.:** TWO
28

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 29.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual gross revenue, salary or income related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 30.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits, salary or income related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 31.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR gross revenues, salary or income related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 32.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits, salary or income related to the "CONAN" show that aired on
January 14, 2015.

REQUEST FOR PRODUCTION NO. 33.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues, salary or income related to the "CONAN" show that aired on
February 4, 2015.

REQUEST FOR PRODUCTION NO. 34.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits, salary or income related to the "CONAN" show that aired on
February 4, 2015.

REQUEST FOR PRODUCTION NO. 35.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR gross revenues, salary or income related to the "CONAN" show that aired on February 17, 2015.

REQUEST FOR PRODUCTION NO. 36.

1 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
2 YOUR annual net profits, salary or income related to the "CONAN" show that aired on
3 February 17, 2015.

4 **REQUEST FOR PRODUCTION NO. 37.**

5 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
6 YOUR gross revenues, salary or income related to the "CONAN" show that aired on
7 June 9, 2015.

8 **REQUEST FOR PRODUCTION NO. 38.**

9 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
10 YOUR annual net profits, salary or income related to the "CONAN" show that aired on
11 June 9, 2015.

12
13
14 Dated: June 3, 2016

By: /jlorenzo/
15 JAYSON M. LORENZO
16 Attorney for PLAINTIFF
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5 Attorney for Plaintiff
5 ROBERT ALEXANDER KASEBERG

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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11 ROBERT ALEXANDER KASEBERG, } Case No. 15-CV-01637-JLS-DHB
12
13 }
14 Plaintiffs, }
15 }
16 vs. }
17 }
18 CONACO, LLC; TURNER }
19 BROADCASTING SYSTEM; TIME }
20 WARNER, INC.; CONAN O'BRIEN; }
21 JEFF ROSS; MIKE SWEENEY; DOES 1 }
22 – 10, inclusive, }
23 }
24 Defendants. }
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27 **PROPOUNDING PARTY:** PLAINTIFF ROBERT ALEXANDER KASEBERG
28 **RESPONDING PARTY:** DEFENDANT CONAN O'BRIEN
29 **SET NO.:** TWO

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 28.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual gross revenue, salary or income related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 29.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits, salary or income related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 30.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR gross revenues, salary or income related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 31.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR annual net profits, salary or income related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 32.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR gross revenues, salary or income related to the "CONAN" show that aired on February 4, 2015.

REQUEST FOR PRODUCTION NO. 33.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR annual net profits, salary or income related to the "CONAN" show that aired on February 4, 2015.

REQUEST FOR PRODUCTION NO. 34.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO YOUR gross revenues, salary or income related to the "CONAN" show that aired on February 17, 2015.

REQUEST FOR PRODUCTION NO. 35.

1 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
2 YOUR annual net profits, salary or income related to the "CONAN" show that aired on
3 February 17, 2015.

4 **REQUEST FOR PRODUCTION NO. 36.**

5 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
6 YOUR gross revenues, salary or income related to the "CONAN" show that aired on
7 June 9, 2015.

8 **REQUEST FOR PRODUCTION NO. 37.**

9 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
10 YOUR annual net profits, salary or income related to the "CONAN" show that aired on
11 June 9, 2015.

12
13 Dated: June 3, 2016

By: /jlorenzo/
14 JAYSON M. LORENZO
15 Attorney for PLAINTIFF

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5 Attorney for Plaintiff
6 ROBERT ALEXANDER KASEBERG
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10 **UNITED STATES DISTRICT COURT**
11
12 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

13 ROBERT ALEXANDER KASEBERG, } Case No. 15-CV-01637-JLS-DHB
14 }
15 } Plaintiff, }
16 }
17 } vs. }
18 }
19 } CONACO, LLC; TURNER
20 } BROADCASTING SYSTEM; TIME
21 } WARNER, INC.; CONAN O'BRIEN;
22 } JEFF ROSS; MIKE SWEENEY; DOES 1
23 } – 10, inclusive,
24 }
25 } Defendants.
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24 **PROPOUNDING PARTY:** PLAINTIFF ROBERT ALEXANDER KASEBERG
25 **RESPONDING PARTY:** DEFENDANT CONACO, LLC
26 **SET NO.:** TWO

REQUESTS FOR PRODUCTION

DOCUMENT REQUEST NO. 73:

Please produce all internal COMMUNICATIONS within CONACO, LLC, including any communications between any writer, staff or Defendant in this action, related to JOKE #5.

DOCUMENT REQUEST NO. 74:

Please produce all internal COMMUNICATIONS within CONACO, LLC, including any communications between any writer, staff or Defendant in this action, related to JOKE #6.

DOCUMENT REQUEST NO. 75:

Please produce all internal COMMUNICATIONS within CONACO, LLC, including any communications between any writer, staff or Defendant in this action, related to JOKE #7.

DOCUMENT REQUEST NO. 76:

Please produce all internal COMMUNICATIONS within CONACO, LLC, including any communications between any writer, staff or Defendant in this action, related to JOKE #8.

REQUEST FOR PRODUCTION NO. 77.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual gross revenues related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 78.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR annual net profits related to the "CONAN" show in 2015.

REQUEST FOR PRODUCTION NO. 79.

ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
YOUR gross revenues related to the "CONAN" show that aired on January 14, 2015.

REQUEST FOR PRODUCTION NO. 80.

1 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
2 YOUR annual net profits related to the "CONAN" show that aired on January 14, 2015.

3 **REQUEST FOR PRODUCTION NO. 81.**

4 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
5 YOUR gross revenues related to the "CONAN" show that aired on February 4, 2015.

6 **REQUEST FOR PRODUCTION NO. 82.**

7 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
8 YOUR annual net profits related to the "CONAN" show that aired on February 4, 2015.

9 **REQUEST FOR PRODUCTION NO. 83.**

10 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
11 YOUR gross revenues related to the "CONAN" show that aired on February 17, 2015.

12 **REQUEST FOR PRODUCTION NO. 84.**

13 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
14 YOUR annual net profits related to the "CONAN" show that aired on February 17,
15 2015.

16 **REQUEST FOR PRODUCTION NO. 85.**

17 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
18 YOUR gross revenues related to the "CONAN" show that aired on June 9, 2015.

19 **REQUEST FOR PRODUCTION NO. 86.**

20 ANY and ALL DOCUMENTS, tangible things and other items that RELATE TO
21 YOUR annual net profits related to the "CONAN" show that aired on June 9, 2015.

22 **REQUEST FOR PRODUCTION NO. 87.**

23 Any and all emails, from JOSH COMERS regarding any and all jokes MR.
24 COMERS submitted to you for use on the "CONAN" show monologue between
25 November 1, 2015 and June 9, 2015.

26 **REQUEST FOR PRODUCTION NO. 88.**

1 Any and all emails, from BRIAN KILY regarding any and all jokes MR. KILY
2 submitted to you for use on the "CONAN" show monologue between November 1, 2015
3 and June 9, 2015.

4 **REQUEST FOR PRODUCTION NO. 89.**

5 Any and all emails, from ROB KUTNER regarding any and all jokes MR.
6 KUTNER submitted to you for use on the "CONAN" show monologue between
7 November 1, 2015 and June 9, 2015.

8
9
10 Dated: June 3, 2016

By: /jlorenzo/
11 JAYSON M. LORENZO
12 Attorney for PLAINTIFF
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Attorney for Plaintiff
ROBERT ALEXANDER KASEBERG

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

PROFOUNDING PARTY: PLAINTIFF ROBERT ALEXANDER KASEBERG

RESPONDING PARTY: DEFENDANT CONAN O'BRIEN

SET NO.: TWO

PLAINTIFF ROBERT ALEXANDER KASEBERG (“PLAINTIFF”) propound the following Interrogatories on DEFENDANT CONAN O’BRIEN (“DEFENDANT”). PLAINTIFF

1 M. Whenever used herein, "and" is to be understood to mean "or," and vice versa,
2 whenever such construction results in a broader request for information.

3 **INTERROGATORIES**

4 **INTERROGATORY NO. 4.**

5 Identify YOUR annual gross revenue, salary or income related to the "CONAN" show in 2015.

6 **INTERROGATORY NO. 5.**

7 Identify YOUR annual net profits, salary or income related to the "CONAN" show in 2015.

8 **INTERROGATORY NO. 6.**

9 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
10 January 14, 2015.

11 **INTERROGATORY NO. 7.**

12 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
13 January 14, 2015.

14 **INTERROGATORY NO. 8.**

15 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
16 February 4, 2015.

17 **INTERROGATORY NO. 9.**

18 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
19 February 4, 2015.

20 **INTERROGATORY NO. 10.**

21 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
22 February 17, 2015.

23 **INTERROGATORY NO. 11.**

24 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
25 February 17, 2015.

26 **INTERROGATORY NO. 12.**

27 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
28 June 9, 2015.

1 **INTERROGATORY NO. 13.**

2 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
3 June 9, 2015.

4
5 Dated: June 3, 2016

6 By: /jlorenzo/
7 JAYSON M. LORENZO
8 Attorney for PLAINTIFF

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Attorney for Plaintiff
ROBERT ALEXANDER KASEBERG

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

PROFOUNDING PARTY: PLAINTIFF ROBERT ALEXANDER KASEBERG

RESPONDING PARTY: DEFENDANT JEFF ROSS

SET NO.: TWO

PLAINTIFF ROBERT ALEXANDER KASEBERG (“PLAINTIFF”) propound the following Interrogatories on DEFENDANT JEFF ROSS (“DEFENDANT”). PLAINTIFF requests that the responding party respond in writing, and under oath, to the following interrogatories within 30 days of the service of these requests.

INTERROGATORIES

INTERROGATORY NO. 4.

Identify YOUR annual gross revenue, salary or income related to the "CONAN" show in 2015.

INTERROGATORY NO. 5.

Identify YOUR annual net profits, salary or income related to the "CONAN" show in 2015.

INTERROGATORY NO. 6.

Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on

January 14, 2015.

INTERROGATORY NO. 7.

Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on

January 14, 2015.

INTERROGATORY NO. 8.

Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on

February 4, 2015.

INTERROGATORY NO. 9.

Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on

February 4, 2015.

INTERROGATORY NO. 10.

Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on

February 17, 2015.

INTERROGATORY NO. 11.

Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on

February 17, 2015.

INTERROGATORY NO. 12.

Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on

June 9, 2015.

INTERROGATORY NO. 13.

1 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on

2 June 9, 2015.

3

4 Dated: June 3, 2016

5 By: /jlorenzo/
6 JAYSON M. LORENZO
7 Attorney for PLAINTIFF

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Attorney for Plaintiff
ROBERT ALEXANDER KASEBERG

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

PROFOUNDING PARTY: PLAINTIFF ROBERT ALEXANDER KASEBERG

RESPONDING PARTY: DEFENDANT MIKE SWEENEY

SET NO.: TWO

PLAINTIFF ROBERT ALEXANDER KASEBERG (“PLAINTIFF”) propound the following Interrogatories on DEFENDANT MIKE SWEENEY (“DEFENDANT”). PLAINTIFF

1 M. Whenever used herein, "and" is to be understood to mean "or," and vice versa,
2 whenever such construction results in a broader request for information.

3 **INTERROGATORIES**

4 **INTERROGATORY NO. 4.**

5 Identify YOUR annual gross revenue, salary or income related to the "CONAN" show in 2015.

6 **INTERROGATORY NO. 5.**

7 Identify YOUR annual net profits, salary or income related to the "CONAN" show in 2015.

8 **INTERROGATORY NO. 6.**

9 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
10 January 14, 2015.

11 **INTERROGATORY NO. 7.**

12 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
13 January 14, 2015.

14 **INTERROGATORY NO. 8.**

15 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
16 February 4, 2015.

17 **INTERROGATORY NO. 9.**

18 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
19 February 4, 2015.

20 **INTERROGATORY NO. 10.**

21 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
22 February 17, 2015.

23 **INTERROGATORY NO. 11.**

24 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
25 February 17, 2015.

26 **INTERROGATORY NO. 12.**

27 Identify YOUR gross revenues, salary or income related to the "CONAN" show that aired on
28 June 9, 2015.

1 **INTERROGATORY NO. 13.**

2 Identify YOUR annual net profits, salary or income related to the "CONAN" show that aired on
3 June 9, 2015.

4
5 Dated: June 3, 2016

By: /jlorenzo/
6 JAYSON M. LORENZO
7 Attorney for PLAINTIFF

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Attorney for Plaintiff
ROBERT ALEXANDER KASEBERG

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

PROPOUNDER PARTY: PLAINTIFF ROBERT ALEXANDER KASEBERG

RESPONDING PARTY: DEFENDANT TIME WARNER, INC.

SET NO.: TWO

PLAINTIFF ROBERT ALEXANDER KASEBERG (“PLAINTIFF”) propound the following Interrogatories on DEFENDANT TIME WARNER, INC. (“DEFENDANT”).

1 M. Whenever used herein, "and" is to be understood to mean "or," and vice versa,
2 whenever such construction results in a broader request for information.

3 **INTERROGATORIES**

4 **INTERROGATORY NO. 4.**

5 Identify YOUR annual gross revenues related to the "CONAN" show in 2015.

6 **INTERROGATORY NO. 5.**

7 Identify YOUR annual net profits related to the "CONAN" show in 2015.

8 **INTERROGATORY NO. 6.**

9 Identify YOUR gross revenues related to the "CONAN" show that aired on January 14, 2015.

10 **INTERROGATORY NO. 7.**

11 Identify YOUR annual net profits related to the "CONAN" show that aired on January 14,
12 2015.

13 **INTERROGATORY NO. 8.**

14 Identify YOUR gross revenues related to the "CONAN" show that aired on February 4, 2015.

15 **INTERROGATORY NO. 9.**

16 Identify YOUR annual net profits related to the "CONAN" show that aired on February 4,
17 2015.

18 **INTERROGATORY NO. 10.**

19 Identify YOUR gross revenues related to the "CONAN" show that aired on February 17, 2015.

20 **INTERROGATORY NO. 11**

21 Identify YOUR annual net profits related to the "CONAN" show that aired on February 17,
22 2015.

23 **INTERROGATORY NO. 12.**

24 Identify YOUR gross revenues related to the "CONAN" show that aired on June 9, 2015.

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1 **INTERROGATORY NO. 13.**

2 Identify YOUR annual net profits related to the "CONAN" show that aired on June 9, 2015.

3
4 Dated: June 3, 2016

5 By: /jlorenzo/
6 JAYSON M. LORENZO
7 Attorney for PLAINTIFF
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Attorney for Plaintiff
ROBERT ALEXANDER KASEBERG

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

PROFOUNDING PARTY: PLAINTIFF ROBERT ALEXANDER KASEBERG

RESPONDING PARTY: DEFENDANT TURNER BROADCASTING SYSTEM

SET NO.: TWO

PLAINTIFF ROBERT ALEXANDER KASEBERG ("PLAINTIFF") propound the following Interrogatories on DEFENDANT TURNER BROADCASTING SYSTEM

1 M. Whenever used herein, "and" is to be understood to mean "or," and vice versa,
2 whenever such construction results in a broader request for information.

3

4 **INTERROGATORIES**

5 **INTERROGATORY NO. 4.**

6 Identify YOUR annual gross revenues related to the "CONAN" show in 2015.

7 **INTERROGATORY NO. 5.**

8 Identify YOUR annual net profits related to the "CONAN" show in 2015.

9 **INTERROGATORY NO. 6.**

10 Identify YOUR gross revenues related to the "CONAN" show that aired on January 14, 2015.

11 **INTERROGATORY NO. 7.**

12 Identify YOUR annual net profits related to the "CONAN" show that aired on January 14,
13 2015.

14 **INTERROGATORY NO. 8.**

15 Identify YOUR gross revenues related to the "CONAN" show that aired on February 4, 2015.

16 **INTERROGATORY NO. 9.**

17 Identify YOUR annual net profits related to the "CONAN" show that aired on February 4,
18 2015.

19 **INTERROGATORY NO. 10.**

20 Identify YOUR gross revenues related to the "CONAN" show that aired on February 17, 2015.

21 **INTERROGATORY NO. 11**

22 Identify YOUR annual net profits related to the "CONAN" show that aired on February 17,
23 2015.

24 **INTERROGATORY NO. 12.**

25 Identify YOUR gross revenues related to the "CONAN" show that aired on June 9, 2015.

26 **INTERROGATORY NO. 13.**

27 Identify YOUR annual net profits related to the "CONAN" show that aired on June 9, 2015.

1 Dated: June 3, 2016

By: /jlorenzo/
2 JAYSON M. LORENZO
3 Attorney for PLAINTIFF
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5 ROBERT ALEXANDER KASEBERG

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9 **UNITED STATES DISTRICT COURT**
10 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

11 ROBERT ALEXANDER KASEBERG, } Case No. 15-CV-01637-JLS-DHB
12
13 }
14 Plaintiff, } **PLAINTIFF'S INTERROGATORIES**
15 vs. } **TO DEFENDANT CONACO, LLC**
16 } **(SET THREE)**
17 CONACO, LLC; TURNER }
18 BROADCASTING SYSTEM; TIME }
19 WARNER, INC.; CONAN O'BRIEN; }
20 JEFF ROSS; MIKE SWEENEY; DOES 1 }
21 – 10, inclusive, }
22 Defendant. }
23

24 **PROPOUNDING PARTY:** PLAINTIFF ROBERT ALEXANDER KASEBERG
25 **RESPONDING PARTY:** DEFENDANT CONACO, LLC
26 **SET NO.:** THREE

1 **INTERROGATORY NO. 33:**

2 Please IDENTIFY YOUR annual gross revenues in 2015 related to the "CONAN"
3 show.

4 **INTERROGATORY NO. 34:**

5 Please IDENTIFY YOUR annual net profits in 2015 related to the "CONAN" show.

6 Dated: June 3, 2016

7 By: /jlorenzo/
8 JAYSON M. LORENZO
9 Attorney for PLAINTIFF

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Exhibit 2

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Attorney for Plaintiff
ROBERT ALEXANDER KASEBERG

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

ROBERT ALEXANDER KASEBERG,) Case No. 15-CV-01637-JLS-DHB

Plaintiff, } **PLAINTIFF'S EXPERT WITNESS
DISCLOSURE**

VS.

CONACO, LLC; TURNER
BROADCASTING SYSTEM; TIME
WARNER, INC.; CONAN O'BRIEN;
JEFF ROSS; MIKE SWEENEY; DOES 1
– 10, inclusive,

Defendants.

Plaintiff, ROBERT ALEXANDER KASEBERG, by and through his counsel, Jayson M. Lorenzo, hereby submits this Expert Witness Disclosure per the Court's Scheduling Order (Docket No. 29) and state as follows:

1 Each of the experts disclosed herein are expected to testify as to their expected
2 areas of expertise with subject matter of one not redundant to the other. Plaintiff
3 designate the following retained expert witnesses to testify on his behalf:

4 1. Elayne Boosler, 11061 Wrightwood Lane, Studio City, CA 91604
5 213-509-1606. \$500.00 an hour for deposition and trial testimony.

6 2. John H. Reith, MBA, CPA, CFF, CVA, CMA, CIA, 924 South Oakland
7 Avenue, Pasadena, California 91106-3727 626-440-1820. \$330.00 an hour for
8 deposition and trial testimony.

9 3. David Barksy, Ph.D. CSU San Marcos, 333 S. Twin Oaks Valley
10 San Marcos, CA 92096 760-750-3064. \$275.00 an hour for deposition and trial
11 testimony.

12 4. Patrick Eckstrom, My SMN Digital Marketing Services; 1501 India Street,
13 Ste 103-230, San Diego, CA 92101. \$375.00 an hour for deposition and trial testimony.

14 **Retained Expert Witness No. 1: Elayne Boosler**

15 Ms. Boosler is a professional comedy writer.

16 As discovery is still ongoing and depending on evidence and facts presented at
17 trial, Ms. Boosler is expected to offer her expertise in comedic writing related to but not
18 limited to the following:

19 a. Access to the jokes at issue;
20 b. The proliferation of joke stealing in the industry;
21 c. Similarity of the jokes at issue;
22 d. Customs, practices and standards in the comedy industry;

23 **Retained Expert Witness No. 2: Mr. John Reith**

24 Mr. Reith is a CPA.

25 As discovery is still ongoing and depending on evidence and facts presented at
26 trial, Mr. Reith is expected to offer his expertise in relate to profits and revenues related
27 to use of the infringing material including but not limited to the following:

1 a. Revenue of the Defendants attributed to use of the infringing material
2 related to a segment or portion of a television show and the basis and methodology for
3 his calculation;

4 b. Revenue of Defendants attributed to use of the infringing material related
5 to a segment or portion of a television show in multiple broadcastings and the basis and
6 methodology for his calculation;

7 d. Revenue of Defendants attributed to use of the infringing material related
8 to a segment or portion of a television show in syndicated broadcasting and the basis
9 and methodology for his calculation;

10 e. Profits of Defendants attributed to use of the infringing material related to a
11 segment or portion of a television show and the basis and methodology for his
12 calculation;

13 f. Profits of Defendants attributed to use of the infringing material related to a
14 segment or portion of a television show in multiple broadcastings and the basis and
15 methodology for his calculation;

16 g. Profits of Defendants attributed to use of the infringing material related to a
17 segment or portion of a television show in syndicated broadcasting;

18 **Retained Expert Witness No. 3: David Barsky:**

19 Mr. Barksy has a Ph.D. in Mathematics.

20 As discovery is still ongoing and depending on evidence and facts presented at
21 trial, Mr. Barksy is expected to offer his expertise related to math and probability
22 analysis including but not limited to the following:

23 a. A probabilistic analysis of the same jokes of Plaintiff appearing on the
24 "Conan" show and the basis and methodology for his analysis.

25 **Retained Expert Witness No. 4: Patrick Ekstrom:**

26 Mr. Eckstrom has extensive knowledge, training and experience in marketing.
27 Specifically, Mr. Eckstrom focuses on social media and internet marketing.

1 As discovery is still ongoing and depending on evidence and facts presented at
2 trial, Mr. Eckstrom is expected to offer his expertise related to social media including
3 but not limited to the following:

4 a. Navigation and utility of Twitter.com, including but not limited to the
5 navigation and utility of "following", "followers", "likes", and "lists";
6 b. Access of information on Twitter.com including but not limited to access
7 as it relates to "following", "followers", "likes", and "lists";
8 c. Navigation and utility of blogs;
9 d. Access of information of blogs.

10 Plaintiff reserves the right to rely on the testimony of any of the Defendants'
11 expert witnesses.

12 **NON-RETAINED WITNESSES**

13 While the percipient witnesses involved in the action are not offered by Plaintiff
14 at this time as "expert witnesses," in an exercise of caution and to avoid the possibility
15 of later preclusion of their testimony, to the extent that those involved in action and/or
16 other aspects of the claim may be argued to have a specialized skill, experience,
17 training, knowledge, etc., Plaintiff anticipates that the following persons may also
18 provide testimony concerning the similarity of the jokes, access to jokes, the customs
19 and practices related to the comedy industry, revenue or profits of Defendants attributed
20 to use of the infringing material related to a segment or portion of a television show,
21 navigation, utility, access to social media such as twitter, blogs and or the internet.

22 These witnesses include:

23 a. Conan O'Brien
24 b. Mike Sweeney
25 c. Jeff Ross
26 d. Brian Kiley
27 e. Rob Kutner
28 f. Josh Comers

1 g. Alex Kaseberg

2 h. Person Most Knowledgable of Conaco, LLC related to financial
3 information

4 i. Person Most Knowledgable of Time Warner, Inc. related to financial
5 information

6 j. Person Most Knowledgable of Turner Broadcasting System related to
7 financial information

8 Plaintiff reserves the right to amend and supplement this expert witness disclosure
9 at a later date.

10 Dated: June 24, 2016

11 By: /s/ jayson m. lorenzo

12 JAYSON M. LORENZO
13 Attorney for PLAINTIFF

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